

AMENDED IN SENATE MAY 24, 2004

AMENDED IN SENATE MAY 10, 2004

AMENDED IN SENATE MAY 6, 2004

AMENDED IN SENATE APRIL 26, 2004

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL**No. 1630**

Introduced by Senator Speier

(Coauthor: Senator Alpert)

(Coauthor: Assembly Member Shirley Horton)

February 20, 2004

An act to amend Section 35179.1 of, and to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 1630, as amended, Speier. Performance-enhancing dietary supplements.

Existing law sets forth the rights and responsibilities of pupils in public schools. Existing law further requires certain school employees to comply with various educational requirements.

This bill would declare the intent of the Legislature that the California Interscholastic ~~Foundation~~ *Federation* require limited random testing for steroid and performance-enhancing dietary supplement use by pupils participating in high school sports if funding is available for that purpose.

This bill would require the ~~State Department of Education, in consultation with the~~ State Department of Health Services ~~and in consultation with~~ the California Interscholastic Federation, to develop a list of performance-enhancing dietary supplements, as defined, on or before January 1, 2006, *with certain requirements*. The bill would require the California Interscholastic Federation to amend its constitution and bylaws to require that school districts prohibit a pupil from participating in high school sports on and after July 1, 2006, unless that pupil agrees not to use any of the prohibited substances identified by the department and the parent or guardian of that pupil signs a notification form regarding those restrictions, and to require a school district to administer limited random testing for prohibited substances identified by the department. The bill would, commencing on July 1, 2006, prohibit schools from accepting sponsorships from manufacturers of those supplements and would prohibit certain school employees from selling, distributing, or promoting those supplements.

The bill would require each high school sports coach, as defined, to complete a coaching education program developed by his or her school district or by the California Interscholastic Federation that meets specified training requirements. The bill would make that requirement operative on December 31, 2007.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature that the
2 California Interscholastic Federation require limited random
3 testing for steroid and harmful performance-enhancing dietary
4 supplement use by pupils participating in high school sports if
5 funding is made available for that purpose.

6 SEC. 2. Section 35179.1 of the Education Code is amended
7 to read:

8 35179.1. (a) This section shall be known and may be cited as
9 the 1998 California High School Coaching Education and
10 Training Program.

11 (b) The Legislature finds and declares all of the following:

12 (1) The exploding demand in girls athletics, and an increase in
13 the number of pupils participating in both boys and girls athletics,
14 are causing an increase in the number of coaches needed statewide.



(2) Well-trained coaches are vital to the success of the experience of a pupil in sports and interscholastic athletic activities.

(3) Improvement in coaching is a primary need identified by hundreds of principals, superintendents, and school board members who participated in the development of a strategic plan for the California Interscholastic Federation (CIF) in 1993 and 1994.

(4) There are many concerns about safety, training, organization, philosophy, communications, and general management in coaching that need to be addressed.

(5) It is a conservative estimate that at least 25,000 coaches annually need training and an orientation just to meet current coaching regulations contained in Title 5 of the California Code of Regulations, including basic safety and CPR requirements.

(6) School districts, in conjunction with the California Interscholastic Federation, have taken the initial first steps toward building a statewide coaching education program by assembling a faculty of statewide trainers composed of school district administrators, coaches, and athletic directors using a national program being used in several states.

(c) It is, therefore, the intent of the Legislature to establish a California High School Coaching Education and Training Program. It is the intent of the Legislature that the program be administered by local school districts and emphasize the following components:

(1) Development of coaching philosophies consistent with school, school district, and school board goals.

(2) Sport psychology: emphasizing communication, reinforcement of the efforts of young people, effective delivery of coaching regarding technique, and motivation of the pupil athlete.

(3) Sport pedagogy: how young athletes learn, and how to teach sport skills.

(4) Sport physiology: principles of training, fitness for sport, development of a training program, nutrition for athletes, and the harmful effects associated with the use of steroids and performance-enhancing dietary supplements by adolescents.

(5) Sport management: team management, risk management, and working within the context of an entire school program.

(6) Training: certification in CPR and first aid.

(7) Knowledge of, and adherence to, statewide rules and regulations, as well as school regulations including, but not necessarily limited to, eligibility, gender equity and discrimination.

(8) Sound planning and goal setting.

(d) This section does not endorse a particular coaching education or training program.

SEC. 3. Article 6.5 (commencing with Section 49030) is added to Chapter 6 of Part 27 of the Education Code, to read:

Article 6.5. Prohibition of Performance-Enhancing Dietary Supplements

49030. For the purposes of this article, “performance-enhancing dietary supplement” means a dietary supplement that ~~purports~~ *is designed or formulated* to enhance physical performance or development above levels that would be anticipated under normal conditions ~~and is identified in the list developed by the State Department of Education pursuant to subdivision (a) of Section 49032~~ *with appropriate nourishment*.

49031. (a) A teacher, athletic director, sports coach, or other school official or employee may not sell, distribute, or promote a performance-enhancing dietary supplement.

(b) A school may not accept a sponsorship from a performance-enhancing dietary supplement manufacturer.

(c) This section shall become operative on July 1, 2006.

49032. ~~The State Department of Education, in consultation with the~~ (a) *The State Department of Health Services and, in consultation with the California Interscholastic Federation, shall develop a list of performance-enhancing dietary supplements for the purposes of this article. The list shall be developed on or before January 1, 2006, and may be amended by the department State Department of Health Services at any time. The department shall notify each school district of any additions or deletions to the list. A school district shall comply with the amendment within 15 days of receiving that notification. The State Department of Health Services shall submit this list to the State Department of Education on or before January 1, 2006. Upon receipt of this list, the State Department of Education shall notify each school district that*

1 contains grades 9 to 12, inclusive, that this list has been completed
2 and shall post the list on its Web site.

3 (b) In developing this list, the State Department of Health
4 Services shall refer to existing lists of performance-enhancing
5 dietary supplements used by collegiate, professional, or Olympic
6 sports organizations and shall develop the list so that it is
7 appropriate to interscholastic sports.

8 49033. (a) Effective December 31, 2007, each high school
9 sports coach shall have completed a coaching education program
10 developed by his or her school district or the California
11 Interscholastic Federation that meets the guidelines set forth in
12 Section 35179.1.

13 (b) Upon completion of the program, a high school sports
14 coach shall be deemed to have completed the education
15 requirement for the remainder of his or her time coaching at the
16 high school level in any school district in the state.

17 (c) Each high school sports coach shall be responsible for the
18 costs of taking the course.

19 (d) The training requirements of this section shall count toward
20 the continuing education required for the renewal of the teaching
21 credential of a coach who is also a certificated employee.

22 (e) It is the intent of the Legislature that all high school sports
23 coaches satisfy the requirements of subdivision (a). If the existing
24 coach is unavailable to lead his or her team, a substitute coach who
25 does not meet the requirements of subdivision (a) may be used ~~on~~
26 ~~a limited basis~~ *for no longer than one season of interscholastic*
27 *competition.*

28 (f) For the purposes of this section, “high school sports coach”
29 means an employee or a volunteer who is authorized by a high
30 school to be responsible for leading a school sports team of pupil
31 athletes.

32 49034. (a) ~~The State Department of Education, in~~
33 ~~consultation with the~~ State Department of Health Services, *in*
34 *consultation with the California Interscholastic Federation*, shall
35 develop a methodology for testing procedures that would most
36 effectively screen high school pupils for the presence of steroids
37 and dietary supplements identified pursuant to Section 49032. ~~The~~
38 ~~department shall notify each school district of the final~~
39 ~~methodology.~~

~~(b) A school district shall administer tests pursuant to the guidelines established pursuant to subdivision (a) upon a determination by that school district that sufficient funds are available to conduct those tests.~~

(b) To the extent possible, the State Department of Health Services shall adopt an existing methodology currently used by a school district or collegiate sports organization. The State Department of Health Services may contract with a private consultant pursuant to Section 19130 of the Government Code.

(c) The State Department of Health Services shall develop this methodology on or before January 1, 2006, and shall submit the final testing methodology to the State Department of Education. Upon receipt of this methodology, the State Department of Education shall notify each school district that contains grades 9 to 12, inclusive, that this methodology has been completed and shall post the methodology on its Web site.

49035. The California Interscholastic Federation shall amend its constitution and bylaws to require, as a condition of participation in interscholastic sports, that school districts comply with the following requirements:

(a) Effective July 1, 2006, a pupil may not participate in interscholastic high school sports, unless that pupil agrees not to use any of the supplements identified by the department pursuant to Section 49032 and the parent and guardian of that pupil signs a notification form regarding those restrictions.

(b) A school district shall administer limited random tests pursuant to the guidelines established pursuant to subdivision (a) of Section 49034 upon a determination by that school district that sufficient *nonstate* funds are available to conduct those tests.